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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES OF THE	)	No. C 08-01137-EMC
CARPENTERS HEALTH AND WELFARE	)	
TRUST FUND FOR CALIFORNIA;	)	
CARPENTERS VACATION-HOLIDAY TRUST	)	
FUND FOR NORTHERN CALIFORNIA;	)	EX PARTE APPLICATION FOR
CARPENTERS PENSION TRUST FUND FOR	)	CONTINUANCE OF CASE
NORTHERN CALIFORNIA; CARPENTERS	)	MANAGEMENT CONFERENCE;
ANNUITY TRUST FUND FOR NORTHERN	)	[PROPOSED] ORDER
CALIFORNIA; and CARPENTERS TRAINING	)	
TRUST FUND FOR NORTHERN	)	
CALIFORNIA, and CARPENTERS 46	)	
NORTHERN CALIFORNIA COUNTIES	)	
CONFERENCE BOARD for itself and on behalf	)	
of NORTHERN CALIFORNIA CARPENTERS	)	
REGIONAL COUNCIL	)	
Plaintiffs,	)	
v.	)	
ACOUSTICTEC, A California Corporation,	)	
Defendant.	)	

**TO: THE CLERK OF THE COURT AND DEFENDANT GEOTECH CONSTRUCTION, INC., a California Corporation:**

Pursuant to Civil Local Rule 7-10, Plaintiffs hereby request that the initial case management conference scheduled for June 4, 2008 be continued for 90 days.

Pursuant to Federal Rule of Civil Procedure 4(e)(1), Plaintiffs served Defendant with the

1 Complaint by substituted service under California Code of Civil Procedure section 415.20(b) on  
2 March 10, 2008, and mailed the Complaint to Defendant on March 12, 2008, for which service was  
3 deemed complete under CCP 415.20(b) on March 22, 2008. Plaintiffs filed the Proof of Service  
4 with this Court evidencing such service on March 24, 2008. Given that Defendant AcousticTec  
5 has not responded to the Complaint, Plaintiffs will be filing a Request for Entry of Default,  
6 followed by a Motion for Default Judgment. Plaintiffs anticipate setting a hearing date on or  
7 around August 6, 2008 for their motion.

8 The above stated facts are set forth in the accompanying declaration of Kristina M. Zinnen  
9 in Support of Ex Parte Application to Continue Case Management Conference, filed herewith.

10 Dated: May 28, 2008

11 WEINBERG, ROGER & ROSENFELD  
12 A Professional Corporation

13 By: /s/  
14 KRISTINA M. ZINNEN

15  
16 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

17 Based upon the foregoing Ex Parte Application for Continuance of Case Management  
18 Order and Declaration of Kristina M. Zinnen in Support of Ex Parte Application to Continue Case  
19 Management Conference, the Court orders a continuance of the case management conference for  
20 90 days, or as soon thereafter as a court date is available. In addition, the Court Orders: The Case  
21 Management Conference is reset from 6/4/08 to 9/10/08 at 1:30 p.m. A Joint CMC Statement shall  
22 be filed by 9/3/08.

23 Dated: May 28, 2008

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